

May 22 2012

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. AF 11-0765

 IN RE THE ESTABLISHMENT OF
 AN ACCESS TO JUSTICE COMMISSION

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O R D E R

FILED

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The Montana Supreme Court Equal Justice Task Force petitioned this Court to establish an Access to Justice Commission to replace the Equal Justice Task Force, and to set forth certain aspects of the Access to Justice Commission's composition and activities. Having reviewed the petition and public comments, and for good cause shown, the petition is GRANTED.

IT IS ORDERED that the Access to Justice Commission (ATJC) is established as an advisory commission to this Court. The Equal Justice Task Force (EJTF) is abolished. Further, the Commission on Self-Represented Litigants is abolished and reinstated as a standing committee of the ATJC.

IT IS FURTHER ORDERED that the ATJC shall perform the following duties:

- Assess the legal needs of low- and moderate-income Montanans, evaluate the extent to which those needs are going unmet, and coordinate efforts to better meet those needs;
- Assess the ability of all court users to access the courts, and make recommendations to improve rules, statutes, and judicial processes to assure accessibility to all;
- Provide long-range, integrated planning among legal assistance providers and other interested entities and people in Montana, and continue to facilitate networking and communication among them;
- Foster the development of a statewide integrated civil legal services delivery system, design and implement new programs to expand opportunities for access to

justice, and work toward the most efficient use and delivery of resources relating to civil access to justice;

- Work toward securing and maintaining adequate funding for civil access to justice, and coordinate statewide efforts to do so;
- Serve as the advisory council for the Montana Legal Services Association VISTA project;
- Conduct regular meetings to achieve the ATJC's purposes;
- Establish the former Self-Represented Litigants Commission as a permanent ATJC committee to continue the Self-Represented Litigants Commission's mission, including forms development for self-represented litigants;
- Report to the Montana Supreme Court at least biennially the findings, accomplishments, plans, and recommendations of the ATJC for assuring access to justice for all Montanans.

IT IS FURTHER ORDERED that the ATJC consists of 18 members appointed by the Court, who will serve staggered 3-year terms. The ATJC Chairperson(s) will be appointed by the Court and will submit nominations for officers and members as needed to the Court for approval.

IT IS FURTHER ORDERED that the ATJC will consist of representatives from the following entities:

- Office of the Attorney General
- Montana House of Representatives
- Montana Senate
- Montana Supreme Court Justice
- District Court Judge (#1)
- District Court Judge (#2)
- Court of Limited Jurisdiction Judge
- Clerk of a District Court

- Clerk of a Court of Limited Jurisdiction
- Montana-Wyoming Tribal Judges Association
- Montana Justice Foundation
- Montana Legal Services Association
- State Bar of Montana
- School of Law at the University of Montana
- Business/Communications Leader (#1)
- Business/Communications Leader (#2)
- Two representatives of any of the following: Native American communities; the Governor's Office of Indian Affairs; entities that advocate for individuals with disabilities; entities that advocate for Montana's senior citizens; Montana Department of Public Health and Human Services; State Bar of Montana Paralegal Section; Access to Justice Committee and/or Dispute Resolution Committee; and entities working with low-income people in Montana.

IT IS FURTHER ORDERED that, because the former EJTF members do not necessarily correspond with the ATJC composition set forth above, the Equal Justice Coordinator from the State Bar of Montana will facilitate communications among the former EJTF members and the entities listed above that are currently not represented to develop a list of nominations and staggered terms of ATJC members for the Court's approval within 4 months from the date of this order.

IT IS FURTHER ORDERED that the State Bar of Montana will provide administrative support for the ATJC. The Court will recognize any change of name adopted by the State Bar's Access to Justice Committee to avoid confusion with the ATJC.

The Clerk is directed to distribute this Order to the district court judges and the judges of the courts of limited jurisdiction, and to Janice Doggett, Equal Justice Coordinator of the State Bar of Montana, with the request that it be publicized in the *Montana Lawyer* as well as to all entities that will have representatives on the ATJC. The State Bar of Montana also

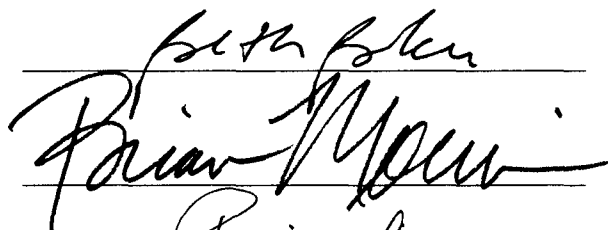
shall distribute this order to EJTF members and members of the Commission on Self-Represented Litigants.

This Order shall become effective on the 1st day of October, 2012.

Dated this 22nd day of May, 2012.



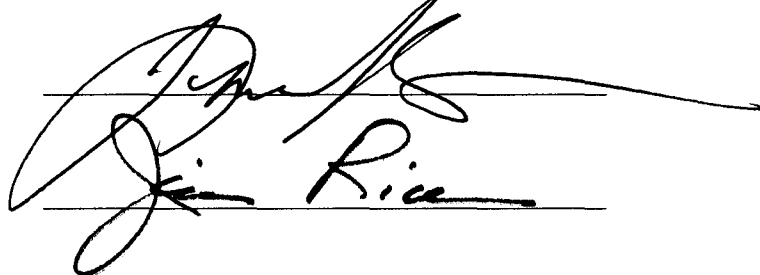
Chief Justice



Brian Moran



Patricia Cotter



Jim Rice

Justices